



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

DISTRICT COURT
FILED
APR - 6 2016

JOSHUA DAVIS and KATELYNN DAVIS,

Plaintiffs,

vs.

SAFECO INSURANCE COMPANY OF AMERICA,
a foreign corporation;

Defendant.

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

Case No. **CJ-2016-01330**

Caroline Wall

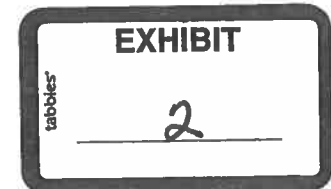
SALLY HOWE SMITH
COURT CLERK
2016 APR - 6 PM 1:50

PETITION

FIRST CAUSE OF ACTION
BREACH OF CONTRACT

Come now the Plaintiffs Joshua Davis and Katelynn Davis, by and through their attorney of record, Scott D. Keith and for their Petition states as follows, to-wit:

1. That the Plaintiffs are residents of the City of Collinsville, Tulsa County, State of Oklahoma.
2. That the Defendant is a foreign corporation doing business in Tulsa County, State of Oklahoma.
3. That this Court has jurisdiction over the matter.
4. The Plaintiffs and the Defendant entered into an agreement in which the Defendant would provide automotive insurance coverage in exchange for the payment of an insurance premium. The Plaintiffs have paid the premium and the Defendant issued Policy No.: Y8075589 which provided, among other things, comprehensive coverage with a \$500.00 deductible for a 2006 Land Rover. (See Exhibit A)
5. The Land Rover developed a leak that allowed water to channel to the rear of the automobile causing extensive electrical damage and interior damage. Further, the Plaintiffs have



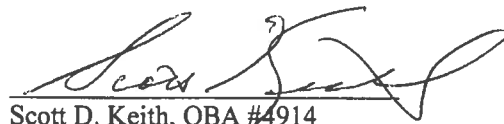
sustained a loss of use of the vehicle. The total damages sustained by the Plaintiffs exceed \$15,000.00.

**SECOND CAUSE OF ACTION
BAD FAITH**

6. The Defendant owed a fiduciary duty to the Plaintiffs to act in good faith in all matters related to the Plaintiff's claim. Instead, the Defendant has failed to properly adjust the claim and instead has delayed action, refusing to follow through on promised action, refused to pay without proper basis and has refused to respond to Plaintiff's attorney concerning their inaction. The Defendant's actions have been in bad faith and in violation of the Claims Resolution and Unfair Claim Settlement Practices. As such, the Plaintiffs are entitled to punitive damages.

WHEREFORE, premises considered, Plaintiffs pray for judgment against the Defendant for actual damages in an amount in excess of \$15,000.00 exclusive of interest and attorney's fees; for punitive damages in the maximum amount allowed by law; and for any other such further relief that this Court deems just and proper.

Respectfully submitted,



Scott D. Keith, OBA #4914
1515 S. Denver Ave.
Tulsa, Oklahoma 74119
(918)599-8118
(918) 599-8119 Fax
Attorney for Plaintiff

ATTORNEY LIEN CLAIMED
JURY TRIAL DEMANDED

02 2016 9:30AM

L3-PMT

918-8-6699

page 2

Safeco Insurance
A Liberty Mutual Company

POLICY NUMBER: Y8075589

**SAFECO INSURANCE COMPANY OF AMERICA
AUTOMOBILE POLICY DECLARATIONS**

NAMED INSURED:
JOSH DAVIS
KATELYNN D DAVIS
2117 W MAPLE ST
COLLINSVILLE OK 74021-1617

POLICY CHANGE
CHANGED EFFECTIVE: JAN. 4 2016
POLICY PERIOD FROM: FEB. 3 2015
TO: FEB. 3 2016

at 12:01 A.M. standard time at
the address of the insured as
stated herein.

AGENT:
SCOTT DUANE BODLEY
CAREER GENERAL AGENCY INC
12722 E 86TH ST N
OWASSO OK 74055-2548

AGENT TELEPHONE:
(918) 376-2300

RATED DRIVERS JOSH DAVIS, KATELYNN D DAVIS

2014 FORD ESCAPE TITANIUM 4 DOOR
2006 LAND ROVER RANGE ROVER SUPERC 4 DOOR
LOSS PAYEE AMERICAN BANK OF OKLAHOMA

ID# 1FMCU0J92EUA55253

ID# SALMF13486A208501

Insurance is afforded only for the coverages for which limits of liability or
premium charges are indicated.

COVERAGES	2014 FORD LIMITS	PREMIUMS	2006 LAND ROVER LIMITS	PREMIUMS
LIABILITY:				
BODILY INJURY	\$250,000 Each Person \$235.10		\$250,000 Each Person \$238.50	
	\$500,000 Each Occurrence		\$500,000 Each Occurrence	
PROPERTY DAMAGE	\$500,000 Each Occurrence 144.40		\$500,000 Each Occurrence 169.40	
MEDICAL PAYMENTS	\$5,000 35.90		\$5,000 29.40	
COMPREHENSIVE	Actual Cash Value 233.30		Actual Cash Value 534.10	
	Less \$500 Deductible		Less \$500 Deductible	
COLLISION	Actual Cash Value 361.10		Actual Cash Value 554.60	
	Less \$500 Deductible		Less \$500 Deductible	
ADDITIONAL COVERAGES:				
LOSS OF USE	\$50 Per Day/\$1000 Max 29.60		\$50 Per Day/\$1000 Max 16.50	
ROADSIDE ASSIST	4.60		8.20	
	TOTAL \$ 1,044.00		TOTAL \$ 1,550.70	

UNINSURED/UNDERINSURED MOTORISTS

TOTAL EACH VEHICLE:

2014 FORD \$ 181.60
2006 LNDR \$ 1,044.00
1,550.70

PREMIUM SUMMARY
VEHICLE COVERAGES
DISCOUNTS & SAFECO SAFETY REWARDS
POLICY COVERAGES

You saved \$975.60

PREMIUM
\$ 2,594.70
Included
\$ 181.60
\$ 2,776.30

TOTAL 12 MONTH PREMIUM FOR ALL VEHICLES

-CONTINUED-

P O BOX 515097, LOS ANGELES, CA 90051

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Page 1 of 2

DATE PREPARED: JAN. 4 2016

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